



Mail Stop RCE

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/576,800

Filing Date: May 23, 2000

First Named Inventor: David W. CANNELL

Group Art Unit: 1654 /

Examiner: M. Flood

Attorney Docket Number: 05725.0572-00000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, application must request non-entry of such amendment.**

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on [Date] \_\_\_\_\_.
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed:
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- a. ☒ The filing fee is calculated as follows:
- i. ☒ \$770.00 RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Petition for extension of time for (four Months) \$1,480.00
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$2,250.00 enclosed.
- c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

## Signature of Applicant, Attorney, or Agent Required

Name: Anthony C. Tridico

Reg. No.: 45,958

Signature: *Maria Banta, Reg. No. 52,516 for Anthony Tridico*

Date: October 10, 2003

## Certificate of Mailing or Transmission

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PATENT  
Custom r No. 22,852  
Attorney Dock t No. 05725.0572-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David. W. CANNELL et al. ) Group Art Unit: 1651  
Application No.: 09/576,800 ) Examiner: M. Flood  
Filed: May 23, 2000 )  
For: THE USE OF PLANT EXTRACTS )  
IN A COSMETIC COMPOSITION )  
TO PROTECT KERATINOUS )  
FIBERS )

MAIL STOP RCE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUBMISSION UNDER 37 C.F.R. § 1.114 ACCOMPANYING REQUEST FOR  
CONTINUED EXAMINATION**

In reply to the Final Office Action mailed October 17, 2002, and further to the Notice of Appeal filed April 10, 2003, the period for response having been extended to October 10, 2003 by a request for extension of four months and fee payment filed concurrently herewith, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks follow the amendment sections of this paper.

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